

trial of this cause of action without necessity of subpoena. Plaintiffs and the moving Defendants request the Court to enter an order which will dismiss Rodney Sipes and Sipes and Associates, PLLC and an order for Rodney Sipes to appear at trial.

II.

2. Rodney Sipes and Sipes and Associates, PLLC have answered in this lawsuit. Rodney Sipes and Sipes and Associates, PLLC have brought no counter-claims or cross-claims in this lawsuit.

3. Rodney Sipes is an attorney licensed to practice in the State of Texas. Mr. Sipes is also admitted to practice in the U.S. District Courts for the Northern District of Texas and the Southern District of Texas, as well as the U.S. Court of Appeals for the Fifth Circuit.

4. Pursuant to Federal Rule of Civil Procedure 41(a)(2), Plaintiffs and the Moving Defendants request that the Court enter an Order dismissing the moving Defendants (Rodney Sipes and Sipes and Associates, PLLC), and providing that Rodney Sipes will appear at the trial of this case to testify as a witness if requested by Plaintiffs.

5. Plaintiffs do not move to dismiss any other Defendant, aside from Rodney Sipes and Sipes and Associates, PLLC, by this Motion.

Respectfully submitted;

_____/s/
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STATE BAR #11105600
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STATE BAR #20998800

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Respectfully submitted;

_____/s/
RODNEY SIPES
STATE BAR # 18349600

SIPES & ASSOCIATES, PLLC

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**DEFENDANT PRO SE and
ATTORNEY FOR DEFENDANT
SIPES & ASSOCIATES, PLLC**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Agreed Motion to Dismiss in Regard to Defendants Rodney Sipes and Sipes & Associates, PLLC (Formerly Known as Sipes & Boudreaux, PLLC has been served on the following, via electronic filing and certified mail, return receipt requested, as outlined below, this the 27th day of January, 2009.

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/s/ David Kassabian
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